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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/595,499	04/24/2006	Juha Raatikainen	AWEK 3462	1600

7812 7590 02/21/2007
SMITH-HILL AND BEDELL, P.C.
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BEAVERTON, OR 97006

EXAMINER

MERLINO, ALYSON MARIE

ART UNIT	PAPER NUMBER
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3676

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/21/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/595,499

Applicant(s)

RAATIKAINEN ET AL.

Examiner

Alyson M. Merlino

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 April 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 7-11 is/are pending in the application.
- 4a) Of the above claim(s) 11 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 7-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 April 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 14 November 2006.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

1. Restriction is required under 35 U.S.C. 121 and 372.

This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1.

In accordance with 37 CFR 1.499, applicant is required, in reply to this action, to elect a single invention to which the claims must be restricted.

Invention I, claim(s) 10 and 11, drawn to a door lock having a follower unit which has a guiding member with a guiding surface cooperating with a protrusion on a torsion unit.

Invention II, claim(s) 12, drawn to a door lock having a follower unit which has a protrusion arranged with corresponding protrusions on a torsion unit(s).

The inventions are distinct, each from the other because of the following reasons:

2. Inventions I and II are unrelated. Inventions are unrelated if it can be shown that they are not disclosed as capable of use together and they have different designs, modes of operation, and effects (MPEP § 802.01 and § 806.06). In the instant case, the different inventions are unrelated because the design of the follower unit, whether it has a guiding member with a guiding surface cooperating with a protrusion on a torsion unit or a protrusion arranged with corresponding protrusions on the torsion units, dictates the design of the door lock, specifically, the placement and design of the components of the door lock that cooperatively function with the follower unit. As shown in Figures 1 and 7, Invention I, shown in Figure 1, details a door lock with an extremely different layout than the door lock associated with Invention II in Figure 7. For example, the force transmission member 20 is disclosed in two different shapes, two different ways of

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actuating the bolt 3, and two different designs of the cooperation means between the member and the follower unit, Figures 1 and 7.

3. Because these inventions are independent or distinct for the reasons given above and there would be a serious burden on the examiner if restriction is not required because the inventions require a different field of search (see MPEP § 808.02), restriction for examination purposes as indicated is proper.

4. During a phone conversation with John Smith-Hill on February 6, 2007 a provisional election was made with traverse to prosecute the invention of a follower unit with a guiding member and cooperating guiding surface, claims 7-11. Affirmation of this election must be made by applicant in replying to this Office action. Claim 11 is withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

Specification

5. The disclosure is objected to because of the following informalities: references to the claims, specifically on page 1 and 2, are not proper in the specification.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

6. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

7. **Claims 10 and 11 rejected** under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which

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was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Specifically, the “mid-axis” of the opening is not clearly defined in the specification.

8. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

9. **Claims 7-11 are rejected** under 35 U.S.C. 112, second paragraph, because the claims are replete with functional language and lack of proper antecedent basis rendering them indefinite. The following are some examples from claim 7 of the lack of proper antecedent issues within the claims, but are not limited to the instances indicated. The claims should be thoroughly reviewed and corrected to conform to current U.S. practice.

In which the follower is provided with two separate torsion units installed on the operation axis on different sides of the follower and turnably secured thereto, which units can be connected to force transmission with the follower by utilizing said coupling members, wherein it comprises a selecting member

10. Specifically, in regards to claim 10, “the direction” in line 3 of the claim and “the mid-axis of the opening” are indefinite and unclear within the claim.

11. Therefore, the claims will be interpreted as best understood in view of the art until the functional language and lack of proper antecedent basis issues are rectified.

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12. **Regarding claims 7-10**, the phrase "or the like" renders the claim(s) indefinite because the claim(s) include(s) elements not actually disclosed (those encompassed by "or the like"), thereby rendering the scope of the claim(s) unascertainable. See MPEP § 2173.05(d).

13. **Regarding claim 7**, the word "means" is preceded by the word(s) "disconnected by" and "established by" in an attempt to use a "means" clause to recite a claim element as a means for performing a specified function. However, since no function is specified by the word(s) preceding "means," it is impossible to determine the equivalents of the element, as required by 35 U.S.C. 112, sixth paragraph. See *Ex parte Klumb*, 159 USPQ 694 (Bd. App. 1967).

Claim Rejections - 35 USC § 103

14. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

15. **Claims 7-11 are rejected**, as best understood, under 35 U.S.C. 103(a) as being unpatentable over Errani (EP 0620341A1) in view of Raatikainen (WO 02059440 A1).

16. **In regards to claim 7**, Errani discloses a door lock with controllable handle operation including a bolt 33, a follower (Figure 4) for moving the bolt, and an operation axis (axis running through bushing 1, Figures 2 and 4). An actuator in the form of a handle can be installed for operating the follower (Col. 2, lines 20-22). The follower can be selectively actuated from either side of the lock by movable coupling members, the

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first member is the left side portion of pawl 26 in Figure 3, and the second member is the right side portion of pawl 26 in Figure 3 with respect to the dividing line between torsion units 3 and 4. Errani further discloses that the torsion units 3, 4 are installed on the operation axis (Figure 3) on opposite sides of the follower, and turnably secured thereto (Figure 2). Errani also discloses that the follower has a selecting member 22 in the form of a screw that allows the selection of a torsion unit for cooperation with a handle, leaving the other torsion unit free to rotate (Col. 2, lines 47-54). The selecting member is placed into a threaded opening 11, 12 in order to connect a force transmission from the operation axis to the follower on that particular side of the lock (Col. 2, lines 47-54). Errani further discloses that the torsion unit that is not connected to the handle by the selecting member can be rotated by a lock cylinder 36 cooperating with a coupling member (Figure 1). Errani lacks the unselected torsion unit actuated into rotational movement by a solenoid arrangement. Raatikainen teaches a door lock of similar structure having selectable torsion units with coupling members, where the torsion unit not connected with the handle is rotated by a solenoid arrangement 7, 8, 9, 10, 11. Since the inclusion of a solenoid arrangement to rotate the torsion unit not connected to the handle would not affect the lock's ability to move the bolt, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include the solenoid arrangement to rotate a torsion unit by cooperating with a coupling member instead of the cylinder lock in order to make the lock more automated and easily actuated.

17. **In regards to claims 8 and 9**, Errani discloses that the torsion units are provided with a recess (recess through torsion members in assembly, Figure 3), which are shaped to receive at least part of the selecting member (Figures 2 and 4). Errani further discloses that the selecting member is provided with an extended head (extended end portion of selecting member 22, Figure 3) that cooperates with the recess when the selecting member is installed thereto (Col. 2, lines 47-54 and Col. 3, lines 18-33).

18. **In regards to claims 10 and 11**, as best understood, since the limitation regarding the "mid-axis" is unclear; the position of the guiding member will be interpreted as extending radially toward to the opening. Errani discloses a guiding member 27 that extends radially towards the opening and the recess of the torsion units, as shown in Figures 2 and 3. The guiding member is provided with a guiding surface (end near reference character 28, Figure 2) that cooperates with a protrusion (cooperating surface of torsion unit near reference character 28, Figure 2) at the torsion unit, while the follower is being turned (Figure 1). The follower is turned by the cooperation between the coupling members (portions of 26) by the solenoid, as described in reference to claim 7, in the same manner as the cylinder of Errani turns the torsion unit (Figure 1).

19. **In regards to claims 7-11**, since the claims are replete with functional language and lack of proper antecedent basis as described above, and are thoroughly unclear, the combination of Errani in view of Raatikainen teaches the structure of the invention, as claimed in claims 7-11.

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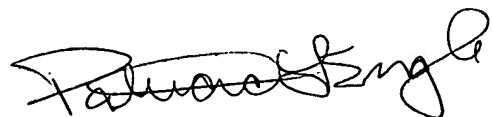
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alyson M. Merlino whose telephone number is (571) 272-2219. The examiner can normally be reached on Monday through Friday, 7:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Glessner can be reached on (571) 272-6843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AM AM
February 15, 2007



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2-20-07